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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
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UNITED STATES OF AMERICA,)	Case No. 2:18-mj-0047-PAL
)	
v.)	Stipulation to Continue
Plaintiff,)	the Preliminary Hearing
)	(<i>Second Request</i>)
JEREMY TYSON,)	
DEANDRE SPENCER, and)	
SHAKEYA JOSEPH,)	
)	
Defendants.)	
)	
)	

IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON, United States Attorney, and CRISTINA D. SILVA, Assistant United States Attorney, counsel for the United States of America, RACHEL KORENBLAT, ESQ., counsel for Defendant JEREMY TYSON, RICHARD A. WRIGHT, ESQ., counsel for Defendant DEANDRE SPENCER and WILLIAM H. BROWN, ESQ., counsel for Defendant SHAKEYA JOSEPH, that the preliminary hearing date in the above-captioned matter, currently scheduled for March 1, 2018, at 4:00 pm, be vacated to a date and time convenient to this Honorable Court but in any event no sooner than 45 days.

1 This stipulation is entered into for the following reasons:

2 1. The parties have continued discussions regarding possibly resolving
3 the case pre-indictment. Additional time is needed for defense counsel to review
4 the discovery they have received in order to engage in negotiations.

5 2. The parties agree to the continuance.

6 3. Defendant SPENCER is in custody and TYSON and JOSEPH are both
7 released on a personal recognizance bonds. No defendant objects to the continuance.

8 4. Additionally, denial of this request for continuance could result in a
9 miscarriage of justice.

10 5. The additional time requested herein is not sought for purposes of
11 delay, but to allow for a potential pre-indictment resolution of the case.

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DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,)	Case No. 2:18-mj-0047-PAL
)	
vs.)	Stipulation to Continue
Plaintiff,)	the Preliminary Hearing
)	(<i>Second Request</i>)
JEREMY TYSON,)	
DEANDRE SPENCER, and)	
SHAKEYA JOSEPH,)	
)	
Defendants.)	
)	

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties have continued discussions regarding possibly resolving the case pre-indictment. Additional time is needed for defense counsel to review the discovery they have received in order to engage in negotiations.
2. The parties agree to the continuance.
3. Defendant SPENCER is in custody and TYSON and JOSEPH are both released on a personal recognizance bonds. No defendant objects to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

1 6. The additional time requested by this stipulation, is allowed, with the
2 defendant's consent under the Federal Rules of Procedure 5.1(d).

3 7. This is the second request for a continuation of the preliminary
4 hearing.

5 For all of the above-stated reasons, the ends of justice would best be served
6 by a continuance of the preliminary hearing date.

7 **CONCLUSIONS OF LAW**

8 The ends of justice served by granting said continuance outweigh the best
9 interest of the public and the defendants, since the failure to grant said continuance
10 would be likely to result in a miscarriage of justice, would deny the parties herein
11 to potentially resolve the case prior to indictment, and further would deny the
12 parties sufficient time and the opportunity within which to be able to effectively and
13 thoroughly prepare for the preliminary hearing, taking into account the exercise of
14 due diligence.

15 The continuance sought herein is allowed, with the defendants' consent,
16 pursuant to Federal Rules of Procedure 5.1(d).

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2 **ORDER**

3 IT IS THEREFORE ORDERED that the preliminary hearing currently
4 scheduled for March 1, 2018, at the hour of 4:00 pm, be vacated and continued to
5 April 16, 2018, at the hour of 4:00 pm.

6 DATED this 28th day of February, 2018.

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8 THE HONORABLE PEGGY A. LEEN
9 UNITED STATES MAGISTRATE JUDGE
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